

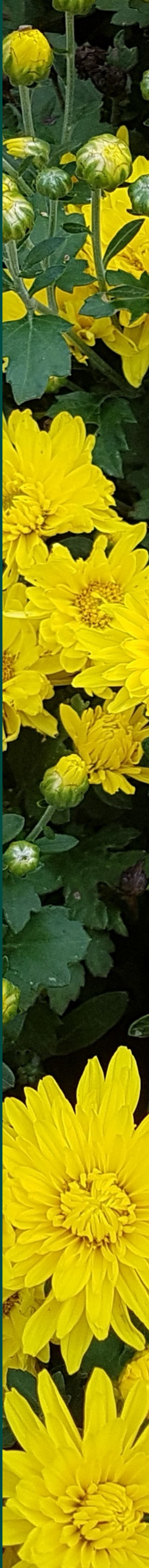
# **GENDER EQUALITY AND THE RIGHTS OF WOMEN UNDER WESTERN SECULAR SYSTEM VIS-A-VIS EQUALITY BETWEEN SEXES ACCORDING TO SHARI'AH:**

## **A CRITIQUE OF THE SOCIO-ECONOMIC TENSION IN THE WESTERN WORLD**

**BY**

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## **1.0 Introduction:**

The words “librated” and liberation”, according to an American Muslim lady – Ruqayyah Abdussalam Hill who was born and raised in Northern California as a Christian but who, after a decade of search, found and embraced Islam, have completely lost their true meaning in the West. Instead of “liberation” to mean “freedom from tyranny and oppression”, they have come to mean “freedom from prohibitions” – freedom to do and live as one wants without any moral restrictions. Terms such as “oppression”, “women’s rights” have been redefined under the pretext of liberation or modernity.”<sup>(1)</sup>

The resultant effect of this, is confusion about the true meaning of these important terms, which has made the Western women and their imitators unable to see or even understand the reality so they cannot understand that they are oppressed by the system which they wrongly believe is capable of liberating them.

Even “oppression” which literally means “subjugation” or “persecution by unjust or tyrannical use of force or authority”<sup>(2)</sup> is now used in the West to mean anything that infringes on personal freedom, even if the infringement is law that may protect them. This misconception has even led them to wrongly hold that equality between man and woman means “sameness” or identicalness while they are two different things.

The objective of this book is to show how this confusion has a very bitter result, especially in the Western society where it originated. But despite this, some of us out of

blind imitation and aping the West, thin that we can solve our problems of violating women's rights without realizing that the condition of women in the West is even getting worse.

## **2.0 Wrong Notion of Equality:**

The wrong notion or understanding of the correct meaning of equality between man and woman or what they now call "gender equality" is the root-cause of the confusion about the meaning of "freedom" or "liberation" or even "oppression". This concept (equality) has been seriously misunderstood by the modern Western man for he, under the misconception, accepts the concept of equality of sexes without giving due consideration of what equality in its best sense ought to mean.

However, in spite of this loud shout about this equality between men and women, and in an attempt to provide women with an equal status, Western civilization has just been able to provide her with serious inequality. This is because in whatever sector of the Western economy a woman may be working, she is considered as second rate compared to man. Even to get to this second rate status a woman has to pay a certain price, i.e. becoming the plaything of men which means she must allow herself to be subjected to masculine cruelty and lasciviousness.

So the condition of American female is pathetic in spite of laws passed assigning equal status to both genders. There are even laws prohibiting harassment of female

workers by men, but this has not prevented them from being victimized by their morally bankrupt colleagues and supervisors. This has become so serious and complex a matter that no law or regulation can do much in dealing with the situation.

The serious consequences of this wrong notion of equality led the Western society (and those who blindly imitate it) to fall deeply into error of accepting blindly the concept of equality of the sexes without giving due consideration of what equality ought to mean or what in practice it entails. According to this erroneous, equal status to women means bringing them out of their homes and standing face to face with men in all walks of life without due regard to the practical and moral problems which may ensue.

Another equality serious error regarding the concept of equality is assuming that if a woman is given separate and different role which suits only her natural disposition, she is given an inferior position. Thus woman must be given a place in all masculine spheres so as to enable her get a superior position.

The question now is, has this improved her state of affairs? Or has this elevated her status despite the fact that she has attained, to some extent, a high level of material development when compared with woman in less developed societies?

No, it does not. This is because, the problem of women (and of human beings as a whole) cannot be solved by material means alone. This is the grievous mistake

omitted by the Western society which helped in bringing disaster upon the whole society.

Thus, on the present plight of woman, despite her relative material and political achievements in American society, Betty Fiedan says:

“It is no longer possible to ignore that voice, to dismiss the desperation of so many American women. This is not what being a women means, no matter what the experts say... I do not accept the answer that there is no problem because American women have luxuries that women in other times and lands never dreamt of; part the strange newness of the problem is that it cannot be understood in terms of age-old material problem of man; poverty, sickness, hunger, old. The women who suffer this problem have a hunger that food cannot fill. It is not caused by material advantages; it may not even be felt by woman preoccupied with desperate problems of hunger, poverty or illness. And women who think it will be solved by more money, a bigger house, a second car, moving to a better suburb, often discover it gets worse.”<sup>(3)</sup>

On how women have been reduced to mere sexual instrument, she has this to say:

“It is not an exaggeration to say that several generations of able American

women have been reduced to sex creatures, sex-seekers.”

Camille Pagia has described how this has degraded women in the West. She said; inter-alia:

“Everywhere, the beautiful woman is scrutinized and harassed: She is the ultimate symbol of human desire...”.

It could be noted that she especially emphasized that beautiful women in the West are sought after and become the “ultimate symbol” of human desire and that the male has a “roving eyes forever” “scanning” and “hunting” for the woman who makes herself more visible in the public eyes. She then concludes that:

“... Islam is wise to drape woman in black, for the eye is the avenue of *Eros*. (Meaning eroticism, that is sexual desire).<sup>(4)</sup>

The effect of this on woman has been pathetic. For the feminists who decried the fact that woman’s reproductive role made her a “prisoner of sex,” the pills (or other contraceptive devices) appeared to them as the key to freedom. Thus Lucinda Cisler thinks in her “Sisterhood is Powerful” that:

“Without the full capacity to limit your own reproduction, a woman’s other freedoms are tantalizing mockeries and cannot be exercised.”<sup>(5)</sup>

However, Michigan Psychologist Judith Bardwich is of the view that instead of liberating women to enjoy sex, the pill has replaced fear of pregnancy with fear of being used. He said:

“Far from giving young women the sexual license that men have so long enjoyed, the pill has caused some women to resent make freedom even more... far from alleviating anxiety over sexual use of the body, the pill has exacerbated it”.<sup>(6)</sup>

And the long-term effects of the use of pill are now a matter of public record. For instance, many medical studies have established a connection between the pill and the formation of blood clots that can cause strokes as well as an increased susceptibility to various forms of uterine cancer. Successive generations of female contraceptive have become even more potent and questionable in their long-term effect.<sup>(7)</sup>

### **3.0 Violence Against Women In The West: <sup>(8)</sup>**

Violence has become a common phenomenon in Western societies as its frightening results are threatening the individual's life in the societies.

One of the most known forms of violence is the one committed against women. Several studies conducted by Western countries proved that the spread of sexual libertinism (licentiousness) among young males, females, husbands and wives yielded sexual chaos followed by spread of serious diseases which are destructive to the health of human beings, addiction of

alcoholic drinks and drugs, unemployment and accumulation of debts. The results of all these combined factors represent injustice to women and children as they are the weakest parties in the society. Accordingly, violence became a threat to women's stability and security and even a threat to the whole family as husbands and boyfriends tended to beat their wives and girlfriends. This statement is supported by the following statistics:

UK report stated that husbands who beat their wives for no reason are responsible for 77% of beating cases.

A study conducted in USA in 1987 indicated that 79% of men beat women particularly their wives. The study was based on a questionnaire conducted on a number of University students by Dr. John Pirer, an Associate Professor of Psychology in the University of South Carolina.

*Reader's Digest* gives many instances of wife-beating by Americans in an article entitled: "*Why Men Hurt the Women They Love*". According to one survey, in America, a woman is battered by a husband or boyfriend every 13 seconds. And every year, it is estimated that more than a million of these need medical help. Every day four die.<sup>(9)</sup>

Another study prepared by the American National Office for Psychological Health indicated that 17% of women, who are taken by ambulances, are victims of beating by their husbands and boyfriends. Janice Moor, a

coordinator in the National Solidarity against Domestic Violence Organisation (Washington based) said:

“We estimate the number of women beaten in their homes each year by six million women. We extracted this information from the FBI files and from the hundreds of asylums which provide shelter for women running away from their husbands’ violence and beating.”

Moreover, according to estimates prepared by Central American Agency for Inspection and Investigation based on hold statistics, a wife is beaten by her husband each 18 seconds. Recent statistics (this was written in 1995) compiled by Family Violence Prevention Fund show that a woman is beaten every 9 seconds in USA.

A report released by FBI indicated that 40% (at that time, i.e. 1995) of the women beating cases are committed by their husbands. The report further indicated that a study conducted through four years, in one of the big hospitals in the USA showed that 25% of the suicide attempts made by women were preceded by a history of beating by their husbands.

US Times Magazine published that 4000 of the six million beaten wives died as a result of that (that was in 1983).<sup>(10)</sup>

In Germany, not less than one million wives are beaten annually by their husbands. And in France the figure reached 2 millions. The French police said that this means that these cases involve 10% of the French

families; and that 60% of the calls received by rescue police in Paris during the night are calls for help from women facing ill-treatment of their husbands. The French Secretary of State, Michele Andre said in “Women’s Rights”:

“Even animals are treated sometimes better than them, if a man hit a dog in the street, another person might present a complaint to the Animal Care Society, but if a man hits his wife in the street, nobody moves”.

She added in a statement to France Press Agency:

“All should understand that beating is against the Law. I would like people to stop thinking that this matter is normal.”

### **3.1 Sexual Harassment and Assault:**

With regard to sexual harassment, it is one of the serious problems facing women in Western societies, especially in the USA. Thus, according to Carl Sovenie, Director of Guidance and Advice Department, at the Working Women’s Institute, in USA 71% of the women who have complained from sexual inconveniences of their bosses, left the job, 58% were terminated and 43% were transferred to other positions where they face many inconveniences that led them to resign.

A survey of 7000 college students on 32 different campuses showed that one out of four women had been sexually assaulted.<sup>(11)</sup>

In a study conducted by Gordon and Riger, one of the women questioned in urban areas throughout the United States said that they were fearful of being raped during certain times and in certain situations. Due to this fear 50% of the women said they tended to keep away from activities during these times and in these situations. When they went outdoors, 51% preferred to be accompanied by other people. In contrast only 4% of men felt they needed such precautions and did not perceive themselves as vulnerable when going out alone.<sup>(12)</sup>

Of the men studied, 90% said they did not make any changes in lifestyle as a reaction to any threat they may feel in regards to crime or assault; sexual or otherwise. And these men lived in the same neighborhood as did the women.<sup>(13)</sup>

Wilson and Krans made an investigation into sexual harassment of both undergraduate and graduate students at East Caroline University. They found that of the 108 men and 226 women, 33% of the women said they had been sexually assaulted by their male professors. The kinds of assaults were defined as 20.2% verbal harassment, 15.4% staring or looking intently, 13.6% comment about what the woman was wearing, her figure or sexual attitude, 8.9% unwanted touching, patting or pinching, 4.9% slight coercion for some kind of sexual activity, 2.2% demanded sexual favours, and 9% were physically assaulted.<sup>(14)</sup>

In short, sexual harassment has unfortunately become common and the surprising thing is that even women who are in high position are assaulted and harassed. For instance, 60% of women lawyers practicing in Federal Courts in 9 states, including Arizona, have experienced sexual harassment. Furthermore, one third of female attorneys said that male colleagues had harassed them in the past 5 years, (from August 1993): 40% said client had harassed them and 6% said they had been harassed by judges.<sup>(15)</sup>

The terrible thing is that where a woman is sexually harassed in the work place she is hesitant to report. She just has to endure it and even to accept it because she cannot risk losing her job. In addition, there is problem of taking an offender to court because of a lengthy and costly process and that it is not always so easy to prove the case of sexual harassment as it can be accomplished in many ways when no one else is around to witness it.

#### **4.0 Gender Discrimination Against Woman:**

Gender discrimination is another type of assault and violence against women, in the Western societies. In the work place we can see women face gender discrimination the moment they apply for the job that man does. Although, this is wrong or even illegal in America, it practically happens. These female job applicants are often asked personal questions about whether or not they are planning to have children, because companies are concerned about maternity leave and try to avoid the financial loss connected to it.

Therefore, men are preferred to be employed usually especially because they are freer to work overtime or relocate. This type of gender discrimination is common in the US though difficult if not impossible to prove.

In some starting findings, it is shown how women often face gender discrimination in the US, because everything from haircuts, dry-cleaning, clothing, cost of car repairs and purchases, are areas where women pay more than men simply because they are females.<sup>(16)</sup>

Another example is that women pay more for medical services in comparison to men. She not only makes more doctor's visits, but a woman who sees a doctor for the same illness a man does is often given more tests and more medications. On top that a woman is often requested to return for a follow-up visits, while this request is seldom given to a male patient. When the American Medical Association was asked about the reason for this discrimination it said that the reasons for this "are not clear". And still more astonishingly common is the fact that women pay more when they purchase automobiles.<sup>(17)</sup>

Additionally, women, in the West are still oppressed by being underpaid in the workplace. This is another area where women face gender discrimination. In 1972 though American women already made up more than one third of the national workplace, they were concentrated in lower-skilled and lower-paying position. This condition has not changed because according to Susan Faduli in her "British – The Undeclared War

Against American Women” which she wrote in 1991, said 80% of American women are still stuck in what one called “dead-end jobs” that are almost relegated to women, i.e. clerks, secretaries, receptionists or sales positions and nearly 75% of full-time employed women were earning under \$20,000 annually. Not only this, women have to do better than the men they work with. Thus they are over-worked and stressed but still earn less than the men they work with.<sup>(18)</sup>

In 1970s an average women employed in full-time job earned only two-thirds of the salary paid to a man with similar job. Though the pay gap between men and women has closed somewhat and more so in some occupations than in others, discrimination in earnings and benefits remains pervasive. Thus in 1980 women earned, on average, earn 64 cents for every dollar earned by men in the United States; by 1990 it was 72 cents.<sup>(19)</sup>

This form of discrimination against women has been explained in *Encyclopedia Britannica*, as follows:

“In the economic sphere women who work out side home are heavily concentrated in the lowest status. Women also earn less than men in the same kinds of jobs. The median pay of women workers in the US was 60 percent that of men in 1982. In Japan the percentage of average pay was 55. Politically, women are greatly under-represented in

national and local government and political parties.”<sup>(20)</sup>

However, despite all these, women must work for if she does not, even for the sake of staying at home to raise children, she will be insecure because the whole system does not uphold or even recognize her role as wife or mother. This is even what women activist, Attorney Frances Leonard, says while addressing American women:

“Place your hopes and dreams in the long future of your marriage; but recognize that the state won’t back you in the gamble. When you forgo your own career opportunities in the expectation of joint future returns, you place yourself at serious risk and no amount of bitterness and recrimination will finance you if things don’t work out in the end.”<sup>(21)</sup>

And what majority of the American working women earn is hardly sufficient for their maintenance, because as we have seen in what Susan Faduli explained, the annual earning of 80% of American women is less than \$20,000 from which there are some automatic deductions. The first one is whopping portion of taxes. Then car payment on an average of not less than \$200 per month; day care expenses where a woman has a child under school age total at least \$80 per week; gas, car maintenance and insurance are also included. Expenses for food, rent, phone call and electricity are also included where she does not have a husband who is

ready to pay for these. And to start a modest wardrobe for a working woman is not cheap. These are just necessary expenses. After all these, will she have left-over for emergencies, vacations or perhaps a little luxury.<sup>(22)</sup>

In addition, working wives mostly contribute towards the rent, utilities and other household expenses. With this in mind, the picture is bleak for woman's financial gain in terms of personal economic stability. This is because the little income of most women cannot be considered as paving the way towards financial independence. Furthermore, where mothers leave their children in daycare centres to work at low-paying jobs (as most mothers do) which do not necessarily give her enough in return, then this must further nominated and frustrated her as a woman, wife and mothers.<sup>(23)</sup>

In the event of divorce, her economic condition is worse, because even though legally speaking she is entitled to alimony, a part of the property settlement and allowance for the maintenance of child (where there is one), she can hardly assert these rights because she cannot afford the attorney (i.e. legal) fees. In Ms. Leonard's book: *Women and Money* she confirms that: "Most women who go through divorce do not come away from the process like the old stories we used to hear about the rich divorcees." This is because in 1990, only 15.5% of divorced women were legally awarded alimony payments and merely 32.3% of the divorced women who asked for a part of property settlement, got any.<sup>(24)</sup>

In 1980 in New York State, the legal fees for divorce dispute was \$6,000, but now it can range somewhere near \$50,000. Jennifer Gordon, head of the San Francisco Bar Association's Family Law Division says:

“If you are making \$40,000, \$50,000 (or) even \$60,000 a year, I don't see how you can afford a family Law at \$200 an hour”<sup>(25)</sup>

This shows that, a successful settlement for most of the divorced American women is only by chance or depends upon affordability and good legal council and very few can afford that.

Moreover, research has shown significant changes in lifestyle for both husband and wife after divorce. Very often the man's standard of lifestyle improves by at least 30% while woman's drops drastically especially if she does not have college education, has been out of work, or has been a mother at home. For most women who hold traditional jobs (and most of them do so), divorce means their financial status can easily go below the poverty level.<sup>(26)</sup>

## **5.0 The Negative Effect on the Family:**

Consequently, family system which is the foundation of building society, is the most affected by the degradation of women. This has become a matter of concern to the sensible American intellectuals. Thus in an article titled: “A Letter to the Year 2086” published in the 29th December, 1986 issue of “Time” and quoted by Khan, the destruction of family system in the US due to

degradation of woman in the present century (21st century) has been rightly predicted by some right-thinking Americans. Apart of it is reproduced here:

“The American family, not 50 years ago the rock on which the country built its church, has fractured into atoms with separate orbits. The American woman, having shunned motherhood and house-wifehood 15 years ago to establish herself in the labour market, now seeks to balance all three lives like dinner plates on sticks. The American man finds himself in new and scary territory and scrambles for adjustment. When the American man and woman part company, as half the newly married couples are expected to do these days, the American child is suddenly stranded, growing taller without a structure.”<sup>(27)</sup>

Then Maulana Wahiduddin Khan comments as follows:

“As they near the close of the twentieth century, the American intellectual classes are acknowledging that what they thought of as the ladder of progress, at the beginning of the 20th century, has turned to be the ladder of destruction. Taking women out of their homes has only resulted in total disruption of the American family system. The rosy plan of liberating woman, has, in practice, resulted in so many social evils... How strange is this

freedom? Which, in practice has turned into a new kind of bondage.”<sup>(28)</sup>

However, this state of affairs cannot be accidental, it is rather a calculated attempt to destroy the family system, which has deliberately been planned by the Westerners themselves and accepted by the International communities to achieve their objectives of population control in which the less-developed countries (especially the Muslims) are the main target. Thus Friedrich Engels a German of Jewish descent like his bosom friend Karl Max openly supports the breakdown of the family. On this he says:

“It will become clear that for the liberation of women, the first condition is to introduce against all women into public activity, and that means abolition of the isolated family as a socio-economic unit... The care and education of children becomes a public affairs, society looks after all children alike, whether they are legitimate or not.”<sup>(29)</sup>

He further argues that oppression and class system began when men realized that they were fathers, and in order to insure that they know who their children were, enslaved women in marriage.

Likewise Karl Max said: “The abolition of the family means the socialization of man.”<sup>(30)</sup>

And according to the classic Marxists, when private property were eliminated and when divorce were made

easy, illegitimacy were accepted, women were forced into workforce, children were placed in daycare and religion were eliminated, the class system would disappear. However, the radical feminists charged that the Marxists concentrated on economic solution and failed to directly attack the family which, according to them, was the real cause of the class. Bt Shulamith Firestone, a radical feminist in her book: *The Dialect of Sex* used Marxist analysis to attack the family by saying that:

“...to assure the elimination of sexual classes requires the revolt of teh underclass (women) and seizure of control of reproduction; restoration to women of ownership of their own bodies, as well as feminine control of human fertility, including both the new technology and all the social institutions of childbearing and childrearing. And just as the end goal of socialist revolution was not only the eliminations of the economic class privilege, but of the economic class distinction itself, so the end of feminist revolution must be, unlike that of the first feminist movement, not just the elimination of male privilege but of the sex distinction itself; a genital differences between human beings would no longer matter culturally.”<sup>(31)</sup>

She even directly attacked motherhood as the cause of the sex class system by saying: “The heart of women’s oppression is her childbearing and childrearing roles.”<sup>(32)</sup>

This appears to be an attack on nature and that is why Ms. Firestone admits that where nature stands in the way of reduction, then nature will have to go on this she said:

“... we can no longer justify the maintenance of discriminatory sex class system on the grounds of its origin in nature. Indeed, for pragmatic reasons, alone it begins to look as if we must get rid of it.”<sup>(33)</sup>

The dangerous view about family and the attack launched on it have succeeded because the gender feminists have manipulated the United Nations into including their own agenda in almost all the international conventions, treaties, protocols and platforms or programs of action. For instance, it is their own definition of reproductive health, which includes abortion, that was entrenched in the Cairo Conference Program of Action and Beijing Platform for Action and many other international conventions and documents on the rights of women. This was used in the Cairo Conference Program for Action, which placed women and reproduction needs at the top of International Health Agenda. But according to the Editorial of *The Lancet*, a British prestigious medical journal:

“Yet health is defined in a surprisingly one dimensional manner; it seems to exist in a reproductive context only. When seen through the lens of fertility control, the notion of “health” is distorted beyond all recognition.

This astigmatism leads the UN – and influential non-governmental organisations, such as the International Planned Parenthood Federation – to adopt empowerment and equality as cure alls.”<sup>(34)</sup>

*The Lancet* even calls this: “a new colonialism.” In the same editorial it says:

“The new colonialism of the international women’s health agenda is a dangerous strategy. It places western utopianism before local pragmatism, expert of notions of what is right before a culturally specific understanding of need. Equality means far more than achieving the right to reproduce health.”<sup>(35)</sup>

Reproductive rights are the very heart of the gender feminists agenda as the following quotation from the Council of Europe Meeting in Preparation for Beijing Conference has made it clear.

The right to “free choice in matters of reproduction”<sup>(36)</sup> and “lifestyle”<sup>(37)</sup> was considered (by the participants at the meeting) fundamental for women. The enjoyment for sexual and reproductive rights is a pre-requisite for women to have genuine *self determination*.<sup>(38)</sup>

The Council of Europe participants wanted this: “self-determination to be extended to adolescents, unmarried women and even Lesbians.” On this they said:

“The voice of young women should be heard since sexual life is not solely

attached to married life. This lead to the point of the right to be different whether in terms of lifestyle – the choice to live in a family or to live alone, with or without child-red- or sexual preferences. The reproductive right of Lesbian women should be recognized.”<sup>(39)</sup>

In demanding sexual and reproductive rights, the gender faminists are demanding legal and social sanctions for behaviours, which legal codes, religious teachings and even cultural norms throughout history and around the world, have condemned. The gender faminists insist that:

“It is overwhelmingly men who control the process of interpreting and defining the relevant religious, cultural, or traditional practices, and as a consequence these norms are defined in patriarchal ways which limit women’s human rights, especially in asserting control over women’s sexuality and in confining woman in roles that reinforce and perpetuate their subordinate.”<sup>(40)</sup>

But all reasonable societies (which include both men and women) condemn sexual relations outside marriage, particularly sexual relations with adolescent girls, because these behaviours result in the conception of children outside marriage; they also endanger the health and safety of these girls and women generally.

That is why a non-government organization (NGO) known as committee to stop the exploitation of women by abortion, in Beijing conference, in a paper circulated among the participants, described the reproductive right in a condemning manner as follows:

“The price of “reproductive rights” is the nightmare of abortion aftermath, but the Draft Program for Action (of Beijing Conference) is silent... not a word for the millions of anguished women – abortion’s silent victims.”<sup>(41)</sup>

The Gender Faminists got an upper hand in the Beijing Conference because it is their dangerous agenda to destroy the family system that was entrenched in the Conference’s Platform for Action. That Platform for Action is very hostile to marriage, motherhood, men and the family. Motherhood is portrayed as repressive, unfulfilling and confining. It is suggested that the family is where one leans discrimination against women; is the cause of inequality (which means it must be dispensed of so that there will be equality); it is also the family where violence (against women) originates.<sup>(42)</sup>

The platform relying on Gender Faminists’ perspective aims at eliminating what it calls “socially constructed roles”: Manhood, womanhood, femininity, motherhood, fatherhood, marriage, family and heterosexuality.<sup>(43)</sup> There is even an attempt to eliminate the differences between men and women. Thus the social

acknowledgement of these natural differences is labeled as a “stereotype”.

The document further mention religion in negative contexts,<sup>(44)</sup> undermines parental authority,<sup>(45)</sup> lays emphasis on reproductive health at the sufferance or detriment of basic health care, fails to condemn all kinds of prostitutions, does not respect the real dignity of women, promotes a right to abortion as part of sexual and reproductive rights and health” and what they call “safe abortion” and proposes many “gender” programmes and policies which are really ineffective in improving the circumstances of women but only benefit radical feminist advocacy groups.<sup>(46)</sup>

It is obvious that, this documnt has distractive effects on the family system. And almost all the international conventions treaties and protocols and other international documents especially on women’s right contain similar elements capable of destroying our family system. This is because the drafting process of such documents is always manipulated by a small group of western gender feminists. They act in collusion with their allies within the United Nation Bureaucracy and Western government that take a leading role in such travesties. They aways prepare such documents, concerning women’s right and sexual or what they call gender equality obsessed with sexual issues, ignoring the social and economic reality of the developing world and its needs, especially the Muslim world that has a peculiar system of living which is the only system capable of solving their problems, i.e. Islam. Such

documents should thus be rejected, especially by the Muslims.

### **6.0 Solution to Problem of Inequality:**

From all that has been said, it is obvious that all the claims of equality between man and woman by the developed countries, are only to destroy the natural family system, which is consequently capable of destroying the fabric of the society. But in reality, it is a serious inequality that has been created between man and woman. Those countries though have assumed that their economic resources (or their control of the world resources) entitles them to the mantle of world leadership for the world, they are even unable to defend themselves against their rising tide of moral decay and indeed to be rescued from their own self-destructive behaviour.

Thus this serious inequality between man and woman created by the western civilization can never be solved by it. This is even the view of some right thinking westerners, such as the internationally acclaimed western writer, Germaine Greer. On this she has this to say:

“The West has no answer to the problems of inequality between sexes.”<sup>(47)</sup>

This is enough to show our Muslim brothers and sisters (and any other person who is ready to listen to the truth) that the so-called international communities can never guide them to the solution of their problem,

especially that of violating and denying them their rights. A solution to all their problems lies in complying with the divine injunctions in which everything they need has been provided. Thus we shall see briefly the issue of equality between sexes and how it differs with the Western concept of equality, which as we have seen, is the source of inequality between men and women and which consequently affects the foundation of building the society, i.e. the family system.

### **6.1 Equality Between Sexes Under the Shari'ah:**

Man and woman, under the Shari'ah, are equal participants so far as the carrying out of the function of daily living is concerned. Furthermore, men and women have equal rights over each other, which have been balanced by equal duties as Allah (S.W.T) explains in 2: 228:

“And they (women) have rights (over husbands as regards living expenses similar to those of their husbands) over them (as regard obedience and respect) to what is reasonable...”<sup>(48)</sup>

This shows that the relationship between men and women under the Shari'ah is not that of bondage or disparity, but of pure clear comaradie and cooperation in the path of virtue. And in camaraderie, all members are equal.<sup>(49)</sup>

To portray and sum up the role of men and women towards each other, the term *awliya* has been employed by the Qur'an, that is in 9: 71 which provides:

“The believers, men and women are *awliya* (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) *al-ma’ruf* (i.e. Islamic monotheism and all that Islam orders one to do) and forbid (people) from *al-munkar*, (i.e. polytheism and disbelief of all *kinds of things* that Islam has forbidden); they perform *as-salat* and give *zakat* and obey Allah and His Messenger...”<sup>(50)</sup>

This *Qur’anic* verse sets forth that men and women are equally responsible for reforming the society through social, political, educational and economic mediums and that they are to perform this job in an atmosphere of security and protection towards each other.

However, this equality, from the view point of the Shari’ah does not mean absolute or unrestricted equality, identity or sameness. It only means overall equality in the totality of rights to men and women in everything in the same as it has not imposed the same duties on both to woman is not less in value than the rights granted to woman is not less in value than the rights granted to man. On this a reknown Muslim scholar on this subject, Murtada Mutahhari has this to say:

“Quantity is different from quality.  
Equality is different from being exactly  
the same. What is certain is that Islam

has not considered there to be identicalness or exact similarity of rights between men and women, but it has never believed in preference and discrimination in favour of man as opposed to woman. Islam has also observed the principle of equality between man and woman. Islam is not against the equality of men and women, but it does not agree with identicalness of their rights.”<sup>(51)</sup>

Stressing this point, Rukayyah Hill, an American Muslim woman, rightly says:

“Regardless of how many legislation has been passed to treat women the same as men, one fact will remain eternally unchanged, the female gender was created with different needs and capabilities than that of the male. Not less, not substandard, not lacking – just different.”<sup>(52)</sup>

This clearly shows that even though man and woman are equal in their status, their roles and rights differ due to their natural differences. Thus man and woman are not in the eyes of the Shari’ah, the duplicate of one another, but the complements, there being in each quite incontrovertible biological differences, which lead to the natural separation of sphere and occupation. It is now an established biological fact that there are

differences in their physiological structures and psychological arrangements, which gear man to work outside the home and woman inside home. This is also in accordance with many Qur'anic provisions, specifically Suratu Taha (20): 117, Suratu Rum (30): 21 and Suratu Nahl (16): 72. Therefore, anybody, who does not accept the differences between the sexes, even by trying to deliberately resemble the opposite sex has been cursed by the Prophet (P.B.U.H).<sup>(53)</sup>

However, the fact that man and woman are naturally different does not mean that Shari'ah considers that one is superior to the other as the criterion of superiority in Islam is based only on piety and Godfearing (taqwa). This is accordance with Suratul Hujurat (49): 13 which reads:

“O mankind! We have created you from a male and female and made you into nations and tribes, that you may know one another. Verily, the most honourable of you with Allah is that (believer) who has taqwa (i.e. is one of the muttaqin), the pious.”<sup>(54)</sup>

Commenting on this verse, an internationally reknown Muslim Scholar, Dr. Jamal Badawi says:

“From this chapter (i.e. 49: 13), it is clear that in terms of spirituality and humannes, both genders stand on equal footing before Allah. It is also clear that nowhere in the primary sources of Islam

(i.e. the Qur'an and the Sunnah) do we find any basis for the superiority of one gender over the other. Human misinterpretations, culturally bound opinions or manipulations are not congruent with what Islam teaches. The full equality of all human beings before Allah is beyond doubt. This equality should not be confused, however, with role differentiation in the spirit of cooperation and complementarity.<sup>(55)</sup>

On this also Professor Bilal Philips, in his *Tafsir of Suratul Hujurat* shades more light:

"In identifying man's beginning as a product of a male and female and not dust from which Adam was made or Adam from whom Hawwa was made (referring to the verse, "*Oh mankind! Verily We have made you from a male and female*" (49: 13), Allah also lays emphasis on the complementary role of males and females in relation to human society. Each has a distinct and unique role and each has been endowed with physical and psychological gift suitable for fulfilling their respective roles. Hence from the Islamic viewpoint, the Western concept of women's liberation and unisex are, to a large degree, despised because they upset the natural balance laid down by Allah. In order to stress the importance of men and women being distinct from each other, the Prophet (P.B.U.H) cursed men who tried to resemble women and women who tried to resemble men. Islam is not against equal pay for equal work, but it

is against the trend among many advocates of women's liberation towards hating men while trying to be like them. From an Islamic perspective, true equality of men and women lies in their equal responsibility to worship Allah as He commanded them and in their accountability for all what was entrusted to them in this life. Thus their differences are complementary and not antagonistic.”<sup>(56)</sup>

### **6.1.1 Distinct Identity of Women:**

The fact that woman is equal to man has accorded to her a separate identity and individuality under the Shari'ah. She enjoys and retains this identity not only in domestic life, but also in social, political and economic life. Thus when Makkah was conquered and men and women embraced Islam in thousands voluntarily, the Prophet (P.B.U.H) took a separate *bay'ah* (allegiance) from women and not along with their men folk, upon the instruction from Allah in the Qur'anic verse 60: 12. This was done to establish forever that the identity and individuality of a Muslim woman is distinct and separate from that of a man, whether it be her husband or father or anyone else.”<sup>(57)</sup>

It can be seen how Islam ensures this individuality and separate identity of woman by, among other things, allowing a divorce and a widow to decide freely about her future life, i.e. re-marriage and by giving an unmarried girl the right to accept or reject, according to the majority of the Muslim Jurists, a man in marriage. She is as much entitled to inherit from her husband's estate as the husband is to her estate while she retains

her inheritance rights in her parental family (and sometime her share is even greater than that of man).

However, the fact that woman, under the Shari'ah has a separate identity and individuality, does not mean that she can seek an independent life, namely independent of man because this can never be possible; it is even contrary to scientific fact and reality of practical life. It is on this that an American lady Mrs Marabel Morgan recently published her book titled: *Total Woman* in which she divulged to her American sisters how they could be successful in their marital life. She says:

“Be nice to your husband, stop nagging him and understand his needs.”

The writer adds that:

“The perfection of womanhood lies in the woman's ability to become a good companion of her husband rather than seek independent life.”<sup>(58)</sup>

Women, under the Shari'ah, are not only not independent of men they are even put under the men's guardianship and full care. It has been assigned by the Creator of both man and woman and its therefore natural. This assignment has been affirmed in a Qur'anic provision, 4: 34, which reads:

“Men shall be qawwamuna alan nisha'i, (i.e they shall) take full care of women with the bounties which God has bestowed more abundantly on the former than on the latter, and with what

they may spend out of their possession.”<sup>(59)</sup>

In explaining the reason and wisdom behind the man being responsible to take charge of woman and the family as a whole, Sayyid Qutb is of the view that this is due to the man's qualities which make him more able and better equipped to do that. Similarly, his duty to support his family, as part of that general distribution of functions, makes him more suited to overall authority. That is because earning his family's living is part of being in charge.

Moreover, looking after the finances of the family is closer to his family duties. This is why the Qur'an states that men are required to look after women. This duty has been assigned to man on the basis of natural abilities and fair distribution of responsibilities. And it is totally unfair to assign these responsibilities to women for this will undermine their ability to play their natural role, i.e. motherhood. He then concludes:

“These very serious questions should not be left to human beings to determine at will. When they have been left to human beings to decide, in both past and modern societies, the very existence of mankind was threatened and essential human qualities, which distinguish man from other creatures were in danger of extinction.”<sup>(60)</sup>

It is pertinent at this juncture to note that what the feminists and their workers, sponsors supporters do in attacking this man's leadership, which they call male dominance or in a more feminist language "patriarchy", is quite wrong. This is because, irrespective of its misuse and its being exploited against women it is natural and thus universal and stems not from social oppression of woman, as claimed by the feminists, but from fundamental differences between the sexes. Even Westerners like Margaret Mead who is an expert anthropologist and who is also commonly thought to be on the feminist side accepts man's leadership over woman, not only at home but even in public affairs. Thus after a lifetime spent researching the diverse societies of the world she has declared:

"All the claims so glibly made about societies ruled by women are nonsense. We have no reason to believe that they ever existed. Men have always been the leaders in public affairs and the final authorities at home."<sup>(61)</sup>

Furthermore, Professor Steven Goldberg of New York in his book titled: *The Inevitability of Patriarchy* which has earned him abuse from feminists in America has emphasized on this point. He was quoted saying:

"The feminists hate me. I like to think (that) their intense wrath stems from my inherent rightness. Putting simply, i believe the universality of male

dominance in all societies cannot be explained by social conditioning.”<sup>(62)</sup>

Thus, man’s leadership *per se* cannot wrongly be denied, challenged or condemned as done by the feminist or those who subscribe to their view, but as Sheikh al-Sawiy said:

“...what is unacceptable is injustice, harshness and maltreatment. These are prohibited forms of behaviour that do not relate to the concept of leadership in itself. Injustice is an act that incurs grave torment on the Day of Resurrection and abusing one’s spouse is something that is done by those who are mean and ignoable. The best people are those who treat their women most honourably and righteously and Allah hates every harsh braggard.”<sup>(63)</sup>

## **7.0 Conclusion:**

The main issue discussed in this paper is equality of genders from the view point of Westerners, especially the gender feminists who have deliberately confused its meaning (which to them has become the basis of misleading people) to mean absolute equality between man and woman in each and item of comparison rather than overall equality in the totality of rights and duties of both genders with due regard to possibility of verification in specific items with the overall balance and equality as is the position under the Shari’ah.

It has been shown how quest for this wrong notion of equality has enslaved women to the system in the Western society, which has yielded degrading and dangerous results to women, the family system and the society in general.

While it is an undeniable fact that injustices are done to women in our society, many of their rights are violated and all these evils are in many cases justified by religiously flavoured arguments and the assumption that the traditional and cultural practices and attitude which are usually used to violate women's rights, are correct especially because they are not equal to man, the Western society is capable of grinding us to how we can solve the problem. This is for the obvious reasons that they have not been able to solve the same problems in their societies.

Thus the Non-Governmental Organizations, international bodies and Movements, established or assisted or employed by these Western societies (now known as International Communities or Free World) cannot as well provide any guidance for solving the problems of our women. This is especially because these bodies tend to erroneously consider the International Convention, Treaties, Protocols, Programs or Platforms for Action and any other documents passed in International Conferences organized or sponsored by the United Nation and International Communities which are usually manipulated by the Gender Feminists so as to be able to execute their devilish agenda as the ultimate basis and standards expected of all diverse

peoples, cultures and religion, including the Muslims. The worst part of it still is that whenever they proffer solutions to the problems of inequality between man and woman and violation of women's rights, they arrogantly and in most cases out of ignorance portray that there is no problems in Islam and, therefore, no solution has been proffered by it regarding this. Or even if there are such provisions, they are flagrantly disregarded for being outdated or un-implementable or unenforceable for not moving with the so-called modern time. Even those who work for these international communities or being sponsored by them tend to accept this attitude, especially because what bothers most of them is the material gains they derive from them.

However, Muslims believe in the ultimate supremacy of the Shari'ah, which to them is the way of life designed by the only Sovereign who is the only actual Law-giver. To ask them to believe otherwise (or consequently act otherwise), or to disregard their way of life or make their religious conviction and way of life subservient to any man-made standard or law, or to secular humanism, is both unacceptable and impracticable. It only creates tension the consequence of which may not be desirable. As Weeramantry a former justice of the Supreme Court of Sri Lanka, a former Professor of Law in Melbourne, Australia and Vice President of International Court of Justice at the Hague says:

"Islam being one of the most powerful social, cultural, religious and legal forces the world has ever seen, cannot be highly

passed over any jurisdiction as being removed from the sphere of concern... An important barrier to international understanding is the widespread lack of information regarding Islam, which leads to misunderstanding and prejudices, which in turn leads to bitterness and out of bitterness comes tension, national and international.”<sup>(64)</sup>

Even where pressures, economic, political or otherwise are used as in the case of the UN Convention and African Charter on the Rights of Children, which was violation of the Constitutional Provision of S. 12(3), was illegally passed into law titled: *Child Rights Act, 2003*, (And, therefore, unconstitutional), or the United Nation Convention on the Elimination of all Forms of Discriminations Against Women (CEDAW), which are unacceptable and impracticable among the Muslim, to bring about compliance with such documents, is not likely to succeed led alone be sustainable. This is because the injunctions and guidance of the Qur’an and Sunnah are to Muslims, not subject to any man-made legislation, editing, voting or modification; they rather constitute their complete way of life.

Moreover, it is the constitutional right of the Muslims to conduct their life in accordance with the dictates of the Shari’ah as a renowned Nigerian Muslim scholar Prof. Awwal Yadudu who is a Law Professor of International law refutes says:

“Muslims have *legitimate* aspirations to live a life under the dictates of Shari’ah. They are entitled to this, because the constitution guarantees them the right to do so. In addition, by the Federal arrangement which the country has come to consider as an agreed ingredient of our polity, we have only chosen to organize the various people’s making up the country within a framework of a single state without interfering with particular ways of each... The surest way of chaos and generation of ill-feeling is for a group (or groups) to try to attempt to hold a whole religious community to ransom over a non-negotiable matter of conscience.”<sup>(65)</sup>

From all what has been explained, it is now obvious that the real solution to the problem of unjustifiable inequality and violation of women’s right, in the Muslim society, is return to Islam which has provided various and unique safeguards. These safeguards include the inculcation of the sense of accountability for violation of Allah’s limits including those that concern women’s rights. It is with this sense of these rights, but exceeding the limits set by the Shari’ah. This is because the root cause of this sense of accountability is *iman* (faith), which is not acceptable without complying with the rules of the Shari’ah. This is in accordance with the Qur’anic verse 4: 65.

And also in 33: 36 Allah says:

“It is not for a believer, man or woman  
when Allah and His Messenger have

decreed a matter that they should have any option in their decision. And whoever disobeys Allah and His Messenger, he has strayed into a plain error.”<sup>(66)</sup>

Another safeguard is education. This is because educating people regarding the rights is a very important safeguard for, even where the law recognizes the rights; the laws may not be operative if the people are ignorant of them. That is why the laws regarding the rights have been made to be a sacred literature to everybody, not only jurists and intellectuals.

The duty of promoting good virtue and forbidding and fighting vices imposed on every Muslim is a very important safeguard also because it makes every Muslim vigilant on everyone who violates the rules of Shari’ah even if it is the leader or the state. This duty is so important that it is even related to someone’s *iman* (faith).

This is in a *Hadith* narrated by Bukhari, on the authority of Ibn Umar, in which the Prophet (P.B.U.H) was reported to have said:

“Whoever of you sees evil with his eyes should change it with his hand and if it is not possible then with his tongue; but if this is not possible then with his heart. But this is the weakest form of faith.”<sup>(67)</sup>

*All praises be to Allah.*

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